

REMARKS

In the Official Action, the Examiner acknowledged the elected species of compound Y-1 on page 48 of the specification which relates to formula (I-B) as set forth in the claims. In addition, the Examiner raised a "new matter" objection and an attendant rejection under 35 U.S.C. §112 with respect to the recitation of "a chelating agent containing a divalent metal", but indicated at the top of page 3 of the Action that the phrase "a chelating agent to a divalent metal" would be acceptable. The Examiner next set forth prior art rejections of some of the claims based on Nogami et al., U.S. Patent No. 5,122,438, with the Examiner specifically referring to compounds which were asserted to apply to formula (I-A).

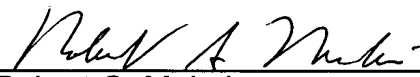
By the present Amendment, former independent claim 16 has been canceled without prejudice or disclaimer and has been replaced with new claim 24 with the dependency of all the remaining claims being amended to accommodate the new independent claim. While not agreeing with the Examiner's "new matter" objection and rejection, claim 20 has been further amended to recite the language indicated by the Examiner as being acceptable which should obviate these matters.

From considering new independent claim 24, it will be appreciated that the claim relates to only formula (I-B) which, as noted above, includes elected species compound Y-1. In this regard, the Examiner is reminded that he took the position that formulas (I-A) and (I-B) encompassed "patently distinct species" in setting forth the species requirement in the Official Action dated October 27, 2004. Thus, it is clear that Nogami et al., which at best only relates to compounds within formula (I-A), as noted by the Examiner, cannot be used in any to reject the claims now of record

which recite only formula (I-B). In view of the recitation of only formula (I-B) in claim 24, claim 22 has also been canceled without prejudice or disclaimer. Thus, the claims now of record are clearly patentable over this patent and applicants accordingly respectfully request reconsideration and allowance of the present application.

Should the Examiner wish to discuss any aspect of the present application, he is invited to contact the undersigned attorney at the number provided below.

Respectfully submitted,
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